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PATENT 11.28.03

Attorney Docket No. 09792909-5083

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:

E. Nakashio et al.

Application No. 09/898,259

Filed: **July 3, 2001**

For: **MAGNETIC TUNNEL EFFECT
TYPE MAGNETIC HEAD, AND
METHOD OF PRODUCING THE
SAME**

) Group Art Unit: **2653**

) Examiner: **C. Beacham**

) **Certificate of Mailing (37 CFR 1.8(a))**
) I hereby certify that this paper (along with
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Commissioner for Patents
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NOTICE OF APPEAL

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 7, 2003, finally rejecting claims 1-3, 5-8 and 10. Pursuant to 37 C.F.R. § 1.17(b), the fee for this Notice of Appeal is \$330.00. PTO Form 2038 is enclosed to cover the required fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: November 5, 2003

By: *David Rozenblat*

David Rozenblat
Registration No. 47,044
SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080

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